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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,633	06/19/2001	Christopher H. Elving	15437-0539	4540

29989 7590 04/17/2007  
HICKMAN PALERMO TRUONG & BECKER, LLP  
2055 GATEWAY PLACE  
SUITE 550  
SAN JOSE, CA 95110

EXAMINER
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BHATIA, AJAY M

ART UNIT	PAPER NUMBER
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2145

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/17/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



***Response to Arguments***

Applicant's arguments filed 2/21/07 have been fully considered but they are not persuasive. The rejection addressing claim 13-21 and 21 is maintained. The specification does not define a "computer-readable storage medium," but it does define a "computer-readable medium."

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 13-21 and 29 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Are rejected because medium as define in the specification includes signal, which is non-statutory. For clarification please see MPEP 2106.01.

***Allowable Subject Matter***

Claims 1-9 and 25-28 allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The present invention differs the prior art of record in that applicant's invention rotates full and empty buffers for a plurality of web site domains, as changes the number as need for the be domains. Additionally applicant further clarified the interpretation of the claim in applicant pre-appeal request 7/24/06. In which applicant made the further distinctions over the prior art of record clear. Additionally since applicant has limited the invention to only website domain applicant prior art in related memory system were not obvious as prior art and could not be used in combination.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay M. Bhatia whose telephone number is (571)-272-3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2145

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jason Cardone  
Supervisor Patent Examiner  
Art Unit 2145

AB